

Claim 2 has been amended as suggested by the Examiner and is believed to satisfy the second paragraph of U.S.C. §112.

Claim 3 has been amended to delete reference to a "blade" spring.

In response to the Examiner's rejection of claims 1-11 under U.S.C. §112, claim 1 has been amended to now recite a handle with a user movable actuator operative for effecting alternate tensioning and compression of the tension/compression members.

The Examiner has rejected the claims as being either anticipated by or obvious over a proposed combination of the teachings of the reference to Swanson, et al., Patent No. 5,853,409 ("Swanson") and Lundquist, et al., U.S. Patent No. 5,254,088 ("Lundquist"), apparently based upon the alleged "tension/compression members 34" of Swanson, et al. As stated in the Declaration Under 37 C.F.R. §132 of Dr. Majid Rashidi submitted herewith, the Examiner has misinterpreted the reference to Swanson, et al., in which the members 34 are both purely tension members and are not subject to compressive loading at any time.

The problem of either of the members twisting under compressive loading does not exist in Swanson, et al. In applicant's device, the wave spring spacer prevents twisting of the respective members 304, 306 while in compression, as well as creating a stable neutral position (zero deflection) as stated by Dr. Majid Rashidi in his Declaration.

Accordingly, the Examiner's rejection is traversed and withdrawal of the rejection and allowance of the amended claims is requested.

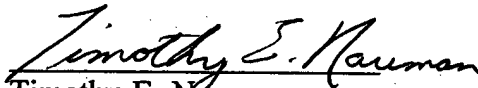
New claims 41-49 are believed to define over any fair teaching attributable to the references, whether taken singly or in combination. These claims merely add further scope and protection for the subject invention.

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All formal and informal matters having been addressed, this application is condition for allowance. Early notice to that effect is solicited.

Respectfully submitted,

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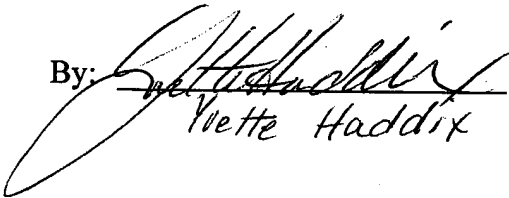
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CERTIFICATE OF MAILING

I hereby certify that this Amendment A and all documents indicated therein as being enclosed is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Honorable Commissioner of Patents and Trademarks, Washington, D.C. 20231, on October 19, 2001.

By:


Yvette Haddix

